



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

To: Jefferson D. Taylor
Director
Office of Governmental Affairs
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

From: Igor Troitski, first named inventor of applications No. **10/751,325; 11/317,379;**
11/234,813; 11/053,983; 11/108,121 and 11/023,115; primary examiner 1725: Maria
Alexandra Elve
6971 Dancing Cloud Ave
Henderson, NV 89011

06/29/2009

Dear Director:

Thank you for your letter dated Jun 4, 2009, which was addressed to United States Senator Harry Reid. You wrote:

"Initially, we wish to note that Mr. Troitski's letter dated April 20, 2009, which was addressed to Acting Director John Doll, was received in the United States Patent and Trademark Office (USPTO). Since that letter expressed Mr. Troitski's dissatisfaction with the prosecution of his patent applications serial numbers 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121; and 11/023,115, it was referred to our Office of the Commissioner for Patents for response. A member of the staff in the Office of the Commissioner for Patents fully considered the issues raised by Mr. Troitski's letter, and the USPTO's official file records were reviewed. No evidence was found of any abuse of the patent prosecution process. For your information, enclosed is a copy of the Office letter dated May 20, 2009, that was mailed to Mr. Troitski detailing the results of the review by the Office of the Commissioner for Patents".

Really, Mr. Troitski has not received a reply to the Troitski's letter dated April 20, 2009. Troitski received "a decision on the petition filed on March 5, 2009 seeking to review the Office actions", which does not comprise a consideration of the evidences given in the letter of April 20, 2009, which was addressed to Acting Director John Doll and does not even make casual mention of this letter.

In the letter of April 20, 2009, Troitski wrote that all applications mentioned above are based on laser-induced breakdown phenomenon. However, the examiner discovered this fact only after production of Office Actions with respect to applications No. 10/751,325; 11/023,115; 11/053,983, when the examiner began to work on the following Office Actions with respect to applications No. 11/317,379 and 11/234,813. Moreover, the examiner herself states in the Office Actions with respect to applications No. 11/317,379 and 11/234,813 that she does not know term “laser-induced breakdown”, although this term is used in multiple U.S. Patents and, particularly, in the applications, which the examiner has already examined (No. 10/751,325; 11/023,115; 11/053,983).

The letter of April 20, 2009 addressed to John Doll Acting Director includes Remarks comprising:

- **EVIDENCES** proving that the subsequent Office Actions produced by Maria Alexandra Elve contain pages which have already been used in previous Office Actions and these Office Actions do not contain the examination of the Claims and descriptions of present applications (pages 1-12 of the Remarks attached to the letter of April 20, 2009);
- **EVIDENSES** proving careless treatment of the examination of applications No. 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121 and 11/023,115 (pages 12-16 of the Remarks attached to the letter of April 20, 2009);
- **EVIDANCES**, which prove that the Office Action in the response to the Request for Continued Examination does not contain examination of the applicant’s arguments stated in the Remarks of the Response and coincide word for word with the previous final Office Action (page 17 of the Remarks attached to the letter of April 20, 2009);
- **EVIDANCES** which demonstrate that the Advisory Actions in the response to the Request for Reconsideration completely ignore the applicant’s arguments contain false statement and misrepresent the facts (pages 17 -18 of the Remarks attached to the letter of April 20, 2009);
- **EVIDENCES FOR CONCLUSION** that the examiner who produced Office Actions with respect to application No. 10/751,325; 11/317,379; 11/234,813;

- 11/053,983; 11/108,121 and 11/023,115 does not know the scientific publications, U.S. Patents and terminology relating to the art of the present invention and does not read presented references (pages 18 -19 of the Remarks attached to the letter of April 20, 2009);
- **EVIDENCES** arguing that the examiner, who produced Office Actions with respect to applications No. 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121; 11/129,730 and 11/023,115 does not know the breakdown phenomenon, which is the foundation of the inventions disclosed in the above mentioned applications (pages 19 -21 of the Remarks attached to the letter of April 20, 2009);
 - **EVIDENCES FOR CONCLUSION** that the examiner, who produced Office Actions with respect to applications No. 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121; 11/129,730 and 11/023,115 does not know holography and the fundamental law of color creation (pages 21- 23 of the Remarks attached to the letter of April 20, 2009);
 - **EVIDENCES FOR CONCLUSION** that the examiner, who produced Office Actions with respect to applications No. 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121; 11/129,730 and 11/023,115 makes false statements (pages 23- 24 of the Remarks attached to the letter of April 20, 2009).

The content of the letter of April 20, 2009 addressed to John Doll Acting Director demonstrates that the applications No. 10/751,325; 11/317,379; 11/234,813; 11/053,983; 11/108,121 and 11/023,115 have been examined so that:

1. The examiner did not make a careful study of the U.S. Patents listed in the references presented in the examined applications (consequently, the examiner did not even know the terminology used in the cited patents).
2. The examiner did not make a careful study of the contents of the examined applications (consequently, the examiner did not notice that the applications No: 10/751,325; 11/023,115; 11/053,983 are based on using laser-induced breakdown).

3. The examiner did not make a careful study of applicants' arguments (for example, the examiner did not take notice of terms "laser-induced breakdown" and "breakdown threshold" in the applicant's arguments filed on 01/16/2008 with respect to application No.11/053,983).
4. The examiner does not know the terminology of the laser-induced breakdown phenomenon, which is used in multiple U.S. Patents (for example, the use of term "laser-induced breakdown" in application No. 11/317,379 is a reason for rejection of all claims of this application).
5. The examiner does not know the laser-induced breakdown phenomenon and, particularly, does not know the basic function of the breakdown threshold in this phenomenon. The examiner's ignorance of laser-induced breakdown phenomenon is the reason of the rejections of claims disclosing the methods using the laser-induced breakdown by making reference to patents, which do not use laser-induced breakdown (for example, the examiner makes reference to U.S. patent No. 5,572,375, which does not use laser-induced breakdown, for rejection of the claims of applications No: 11/317,379; 11/234,813 and 11/053,983, which teach how to destroy objects, create fireworks and produce laser-induced images by using laser-induced breakdown).
6. The examiner uses false statements, particularly, to reject presented claims and escape the answers to applicant's arguments (the examples of these false statements are given on pages 23-25 of the Remarks attached to applicant's letter mailed on 04/20/2008).
7. The examiner copies pages of the previous Office Actions and uses these pages in the next Office Actions with respect to other applications (for example, four pages of the non-final Office Action with respect to application No. 11/317,379, disclosing destruction of the objects by laser radiation, coincide

word for word with the identical pages of the final Office Action with respect to applications No. 11/234,813, disclosing creation of fireworks; moreover, two pages of the same non-final Office Action coincide word for word with identical pages of the final Office Action with respect to application No. 11/053,983 disclosing methods for creation of laser-induced images inside gaseous media).

8. The examiner rejects claims of different applications disclosing different methods by making the same reference (for example, the examiner uses reference to U.S. patent No.5,572,375, which do not use laser-induced breakdown, to reject: claims of application No. 11/317,379, disclosing destruction of the objects by using laser-induced breakdown, claims of application No. 11/234,813, disclosing creation of fireworks by using laser-induced breakdown, and claims of application No. 11/053,983, disclosing creation of laser-induced images inside gaseous media by using laser-induced breakdown).

Troitski informed in the letter dated on May 27, 2009, which was addressed to Mr. David Wiley, Office of Commissioner for Patents, that he did not receive the consideration of the basic evidences given in the letter of April 20, 2009 and that the applicants respectfully request to present corresponding consideration. No reply was received.

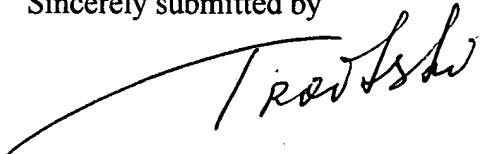
Thereafter, Troitski informed in the letter dated on June 5, 2009, which was addressed to Mr. John Doll, Acting Director of USPTO that he has not received the letter with consideration of evidences containing in the letter dated on April 20, 2009.

Mr. Troitski received the reply to the letter of June 5, 2009. This reply mailed on Jun 16, 2009 is signed by David Wiley, who does not consider the substance of the letters mailed on: April 20, 2009 (addressed to Mr. John Doll, Acting Director of USPTO), May 27, 2009 (addressed directly to Mr. David Wiley, Office of Commissioner for Patents), and June 5, 2009 (addressed to Mr. John Doll, Acting Director of USPTO). Mr. David Willey

does not explain a reason, why the consideration of the letter of April 20, 2009 has not been mailed to Troitski. Instead of the required explanation, Mr. John Doll teaches that "the USPTO makes many decisions of a substantive nature which the applicant may feel denied on the patent protection to which he or she is entitled" and advises to take the matter to court.

Since you wrote that Troitski's letter addressed to John Doll Acting Director of USPTO was referred to the Office of the Commissioner for Patents for response, the applicants respectfully request to send them this response comprising the consideration of all basic evidences given in the letter of April 20, 2009 and mentioned above.

Sincerely submitted by

A handwritten signature in black ink, appearing to read "Troitski".

Igor Troitski